


OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note:— There is one Extraordinary issue to the Official Gazette, Series I No. 22 dated 26-8-93 as follows: Extraordinary dated 30-8-93 from pages 443 to 444 regarding Notification from Transport Department.

GOVERNMENT OF GOA

Department of Personnel

Notification

1-5-89-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, and in supersession of the existing recruitment rules for the posts, the Governor of Goa hereby makes the following rules relating to recruitment to the Group 'C' Non-Ministerial, Non-Gazetted common posts in the Institute of Psychiatry and Human Behaviour, Goa Medical College, Directorate of Health Services and Goa Dental College, Government of Goa, namely:—

1. Short title, application and commencement:—

(1) These rules may be called the Government of Goa, Institute of Psychiatry and Human Behaviour, Goa Medical College, Directorate of Health Services and Goa Dental College, Group 'C' common posts, Recruitment Rules, 1991.

(2) *Application:* These rules shall apply to the posts specified in Column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of publication in the Official Gazette.

2. Number, classification and scales of pay:—

The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule:

Provided that the Government may vary the number of posts in Column 2 of the said Schedule from time to time subject to exigencies of work.

3. **Method of recruitment, age limit and other qualifications:**— The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in Columns 5 to 13 of the said Schedule.

4. **Disqualification:**— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may if satisfied that such marriage is permissible under the personal Law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. **Power to relax:**— Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing relax any of the provisions of these rules with respect to any class or category of persons.

6. **Saving:**— Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

By order and in the name of the Governor of Goa.

G. J. Prabhudessai, Under Secretary (Personnel).

Panaji, 17 May, 1991.

SCHEDULE

Name/ Designation of post	Number of posts	Classi- fication	Scale of Pay	Whether Selection post or non- Selection post	Age limit for direct recruits	Whether the benefit of added years of service is admissi- ble under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & edu- cational qualifica- tions pres- cribed for the direct recruits will apply in the case of promotees	Period of pro- bation if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/trans- fer/contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputa- tion/transfer, grades from which promo- tion/deputation/ transfer is to be made	If a D.P.C. exists, what is its com- position	Circums- tances in which Goa Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Matron.	6 (1991) sub- ject to varia- tion depend- ent on work- load. IPHB- -1 GMC-2 DHS-3	Group 'C' Non- -Minis- terial Non- -Gazet- ted.	Rs. 2000- -60-2300- -EB-75- -3200.	Selec- tion.	Not exceed- ing 35 years (Relaxable for Govt. servants in accordance with the ins- tructions or orders issued by the Govern- ment.)	No.	<i>Essential:</i> 1. B.Sc. in Nursing of a recognised Univer- sity or equivalent qualification. 2. 3 years experience as Asstt. Matron or in a position of similar responsibility in a re- cognised hospital. <i>Desirable:</i> 1. Knowledge of Konkani and/or Marathi. 2. Master's degree in Nursing; or 3. Registration certi- ficate from State Nur- sing Council.	Age: Not appli- cable Qualifi- cations: Yes.	2 years.	Promotion fail- ing which by direct re- cruitment.	<i>Promotion:</i> Assistant Matron/Sister Tutor with 2 years regular service in the respective grade in the concerned Institution/ Department.	Group 'C' D.P.C.	N. A.
Assis- tant Matron.	10 (1991) sub- ject to varia- tion depend- ent on work- load. IPHB- -2 GMC-4 DHS-4 GDC -	Group 'C' Non- -Minis- terial Non- -Gazet- ted.	Rs. 2000- -60-2300- -EB-75- -3200.	Selec- tion.	Not exceed- ing 35 years (Relaxable for Govt. servants in accordance with the ins- tructions or orders issued by the Govern- ment.)	N. A.	<i>Essential:</i> 1. B.Sc. in Nursing of a recognised Univer- sity or Post Certifi- cate Course in Nur- sing Administration Sister Tutor Course/ Nursing Adminis- tration and Educa- tion or equivalent. 2. 3 years experience as Ward Sister or equi- valent post. 3. Registration Certifi- cate as registered Nurse from the State Nursing Council. <i>Desirable:</i> Knowledge of Konkani and/or Marathi.	Age: Not appli- cable Qualifi- cations: Yes.	2 years.	Promotion fail- ing which by direct re- cruitment.	<i>Promotion:</i> Ward Master (Bro- ther)/Ward Sister/Pu- blic Health Nurse Nursing Sister/Sister- in-Charge with 5 years regular service in the respective grade in the concerned Insti- tution/Department.	Group 'C' D.P.C.	N. A.

Group 'C' N. A.
D.P.C.

Promotion:

Staff Nurse/Male Nurse
with 2 years regular
services in the grade in
the concerned institu-
tion.Promotion fail-
ing which by
direct re-
cruitment.2
years.Age:
Not
appli-
cable
Qualifi-
cations:
Yes.

Essential:

1. H.S.C. examination
from a recognised
Board or equivalent.2. Diploma in Nursing
Education and admini-
stration or B.Sc.
(Nursing).

OR

Any other equiva-
lent post certificate
diploma recognised
by State Nursing
Council.3. 3 years experience as
Staff Nurse.4. Registration certi-
cate as registered
Nurse from the State
Nursing Council.

Desirable:

Knowledge of Konka-
ni and/or Marathi.

No.

Not exceed-
ing 35 years
(Relaxable
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with the ins-
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Nurse.

Notification

2/31/74-PER(Vol. IV)(Pt. f.)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, and in super-session of the existing recruitment rules for the relevant posts, the Governor of Goa hereby makes the following rules relating to recruitment to the Group 'C' post, in Goa Medical College, Government of Goa, namely:—

1. *Short title, application and commencement:*—

(1) These rules may be called the Government of Goa, Goa Medical College, Group 'C', Non-Ministerial, Non-Gazetted post, Recruitment Rules, 1993.

(2) They shall apply to the posts specified in Column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their notification in the Official Gazette.

2. *Number, classification and scales of pay.*—The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in Columns 2 to 4 of the said Schedule:

Provided that the Government may vary the number of posts in Column 2 of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.*—The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in Columns 5 to 13 of the said Schedule.

4. *Disqualification.*—No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may if satisfied that such marriage is permissible under the personal Law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.*—Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving.*—Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes, and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

By order and in the name of the Governor of Goa.

S. S. Keshkamat, Under Secretary (Personnel).

Panaji, 3rd August, 1993.

SCHEDULE

Name/ Designation of post	Number of posts	Classi- fication	Scale of Pay	Whether Selection post or non- Selection post	Age limit for direct recruits	Whether the benefit of added years of service is admissi- ble under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & edu- cational qualifica- tions pres- cribed for the direct recruits will apply in the case of promotees	Period of pro- bation if any	Method of recruitment whe- ther by direct recruitment or by promotion or by deputation/trans- fer/contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputa- tion/transfer, grades from which promo- tion/deputation/ transfer is to be made	If a D.P.C. exists, what is its com- position	Circums- tances in which Goa Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Cyto- techni- cian.	1 (1993) sub- ject to varia- tion depend- ent on work- load.	Group 'C' (Non- Minis- terial, Non- Gazet- ted).	Rs. 1400- 40-1800- -EB-50- -2300.	Selec- tion.	Not exceeding 35 years (Relaxable for Govern- ment ser- vants in accordance with the instructions issued by the Govern- ment.)	No.	<i>Essential:</i> i) B.Sc. in Chemistry/ Zoology/Botany. Me- dical Laboratory Technology Course (MLT) done of re- cognised Govern- ment/ Municipal Me- dical College or Go- vernment Teaching Institution recogni- sed to teach MLT. ii) Minimum 6 months experience in Cytolo- gy Laboratory of a recognised Medical College/Govt. Hospi- tal/Cancer Hospital. <i>Desirable:</i> i) One year experience in a Cytology Labo- ratory in a recogni- sed Medical College/ Govt. Hospital/Can- cer Hospital. ii) Knowledge of Kon- kani and/or Marathi.	N. A.	Two years	By direct recruit- ment.	N. A.	Group 'C' D. P. C. (for consi- dering con- firmation).	N. A.

Law (Legal and Legislative Affairs) Department

Notification

10-2-92/LA(Part)

The Oil and Natural Gas Commission (Transfer of Undertaking and Repeal) Ordinance, 1993 (No. 28 of 1993) which has been promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 2-7-1993, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary Drafting

Panaji, 10th August, 1993.

MINISTRY OF LAW, JUSTICE AND
COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 2nd July, 1993/Asadha 11,
1915 (Saka)

THE OIL AND NATURAL GAS COMMISSION
(TRANSFER OF UNDERTAKING AND REPEAL)
ORDINANCE, 1993

No. 28 of 1993

Promulgated by the President in the Forty-fourth
Year of the Republic of India.

An Ordinance to provide for the transfer and vesting of the undertaking of the Oil and Natural Gas Commission to and in the Oil and Natural Gas Corporation Limited, a company incorporated under the Companies Act, 1956, and for matters connected therewith or incidental thereto and also to repeal the Oil and Natural Gas Commission Act, 1959.

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*— (1) This Ordinance may be called the Oil and Natural Gas Commission (Transfer of Undertaking and Repeal) Ordinance, 1993.

(2) It shall come into force at once.

2. *Definition.*— In this Ordinance, unless the context otherwise requires,—

(a) “appointed day” means such date as the Central Government may, by notification in the Official Gazette, appoint under section 3;

(b) “Corporation” means the Oil and Natural Gas Corporation Limited, a company registered under the Companies Act, 1956;

1 of 1956.

(c) “Commission” means the Oil and Natural Gas Commission established under sub-section (1) of section 3 of the Oil and Natural Gas Commission Act, 1959.

48 of 1959.

3. *Undertaking of Commission to vest in Corporation.*— On such date as the Central Government may, by notification in the Official Gazette appoint, the undertaking of the Commission shall stand transferred to, and vest in, the Corporation.

4. *General effect of vesting undertaking in Corporation.*— (1) On and from the appointed day, the entire capital of the Commission shall, by virtue of this Ordinance, stand vested in the Corporation.

(2) The undertaking of the Commission which is transferred to, and which vests in the Corporation under section 3 shall be deemed to include all assets, rights, powers, authorities and privileges and all properties, movable and immovable, real and personal, corporeal or incorporeal, in possession or reservation, present or contingent of whatever nature and wheresoever situate including lands, buildings, works, workshops, vehicles, oil rigs, oil platforms, cash balances, deposits, foreign currencies, reserves, reserve funds or any other investments, securities, tenancies, leases and book debts and all other right and interests arising out of such properties as were immediately before the appointed day in the ownership, possession or power of the Commission in relation to its undertaking, whether within or outside India, all books of account and registers, records and documents relating thereto and shall also be deemed to include all liabilities and obligations of whatever kind, within or outside India of the Commission in relation to its undertaking subsisting immediately before the appointed day.

(3) All contracts, deeds, bonds, guarantees, powers of attorney, other instruments and working arrangements subsisting immediately before the appointed day and affecting the Commission shall cease to have effect or to be enforceable against the Commission and shall be of as full force and effect against or in favour of the Corporation and enforceable as fully and effectually as if, instead of the Commission, the Corporation had been named therein or had been a party thereto.

(4) Any proceeding or cause of action pending or existing immediately before the appointed day by or against the Commission, in relation to its undertaking may, as from the appointed day, be continued and enforced by or against the Corporation as it might have been enforced by or against the Commission, if this Ordinance had not been promulgated, and shall cease to be enforceable by or against the Commission.

5. *Licences, etc., to be deemed to have been granted to Corporation.*— With effect from the appointed day, all licences, leases, concessions, permits, quotas, benefits, privileges and exemptions granted to the Commission in connection with the affairs of the Commission under any law for the time being in force, shall be deemed to have been granted to the Corporation.

6. *Tax exemption or benefit to continue to have effect.*— (1) Where any exemption from, or any assessment with respect to, any tax has been granted or made or any benefit by way of set off or carry forward of any unabsorbed depreciation or investment allowance or other allowance or loss has been extended or is available to the Commission under the Income-tax Act, 1961, such exemption, assessment or benefit shall continue to have effect in relation to the Corporation. ^{43 of 1961.}

(2) Where any payment made by the Commission is exempt from deduction of the tax at source under any provision of the Income-tax Act, 1961, the exemption from tax will continue to be available as if the provisions of the said Act made applicable to the Commission were operative in relation to the Corporation. ^{43 of 1961.}

(3) The transfer and vesting of the undertaking or any part thereof in terms of section 3 shall not be construed as a transfer within the meaning of the Income-tax Act, 1961, for the purpose of capital gains. ^{43 of 1961.}

7. *Guarantee to be operative.*— Any guarantee given for or in favour of the Commission with respect of any loan or lease finance or other assistance shall continue to be operative in relation to the Corporation.

8. *Provisions in respect of officers and other employees of Commission.*— (1) Every officer or other employee of the Commission (except a member or the chairman) serving in its employment immediately before the appointed day shall, in so far as such officer or other employee is employed in connection with the undertaking which has vested in the Corporation by virtue of this Ordinance, become, as from the appointed day, an officer or, as the case may be, other employee of the Corporation and shall hold his office or service therein by the same tenure, at the same remuneration, upon the same terms and conditions, with the same obligations and with the same rights and privileges as to leave, passage, insurance, superannuation scheme, provident fund, other funds, retirement, pension, gratuity and other benefits as he would have held under the Commission if its undertaking had not vested in the Corporation and shall continue to do so as an officer or other employee of the Corporation or until the expiry of a period of one year from the appointed day if such officer or other employee opts not to be the officer or other employee of the Corporation within such period.

(2) Where an officer or other employee of the Commission opts under sub-section (1) not to be in the employment or service of the Corporation such officer or other employee shall be deemed to have resigned.

(3) Notwithstanding anything contained in the Industrial Disputes Act, 1947 ^{14 of 1947.} or in any other law for the time being in force, the transfer of the services of any officer or other employee of the Commission

to the Corporation shall not entitle such officer or other employee to any compensation under this Ordinance or under any other law for the time being in force and no such claim shall be entertained by any court, tribunal or other authority.

(4) The officers and other employees who have retired before the appointed day from the service of the Commission and are entitled to any benefits, rights or privileges shall be entitled to receive the same benefits, rights or privileges from the Corporation.

(5) The trusts of the provident fund, gratuity fund or the superannuation scheme of the Commission and any other bodies created for the welfare of officers or other employees shall continue to discharge their functions in the Corporation as was being done hitherto in the Commission and any tax exemption granted to the provident fund, gratuity fund and superannuation scheme or any other bodies created for the welfare of officers or other employees would continue to be applied to the Corporation.

(6) Notwithstanding anything contained in this Ordinance or in the Companies Act, 1956 or in any other law for the time being in force or in the regulations of the Commission, no member or chairman of the Commission shall be entitled to any compensation against the Commission or the Corporation for the loss of office or for the premature termination of any contract of management entered into by him with the Commission.

9. *Power of entry.*— (1) For the purposes of ascertaining the availability of any oil or natural gas, the Central Government may, on the request being made by the Corporation, authorise any officer or employee of the Corporation by general or special order.—

(a) to enter and inspect any land;

(b) to survey and take measurements of any such land;

(c) to dig holes or perform any other functions for the purposes of measuring or prospecting for the availability of oil and natural gas; and

(d) to examine any document, book, register or record in the possession or power of any person having the control of or connected with any such land and place marks of identification thereon and take extracts from and make copies of any such document, book, register or record.

(2) Every person authorised by the Central Government under sub-section (1) shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. ^{45 of 1960.}

(3) The Corporation shall be liable to pay compensation for any loss or damage caused to the land caused by its officers or employees in performing

the functions under sub-section (1) in such manner as may be prescribed by rules made under this Ordinance to the occupier of the land.

(4) The Amount of compensation payable under sub-section (3) shall be determined by the competent authority appointed by the Central Government in the manner prescribed by rules made under this Ordinance.

10. *Power to make rules.* — (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Ordinance.

(2) Every rule made under this Ordinance shall be laid, as soon as may be after it is made before each house of Parliament, while in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under the rule.

11. *Repeal of act.* — (1) On the appointed day, the Oil and Natural Gas Commission Act, 1959 shall stand repealed. 43 of 1959.

(2) Notwithstanding such repeal, the Corporation shall, so far as may be comply with the provisions of section 22 and 23 of the said Act so repealed for any of the purposes related to the annual accounts of the Commission.

SHANKER DAYAL SHARMA,
President.

K. L. MOHANPURIA,
Secretary to the Govt. of India.

Notification

10-2-92/LA (Part)

The Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Amendment) Ordinance, 1993 (No. 27 of 1993) which has been promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 30-6-1993, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 10th August, 1993.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 30th June, 1993/Asadha 9,
1915 (Saka)

THE PREVENTION OF ILLICIT TRAFFIC IN NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES (AMENDMENT) ORDINANCE, 1993

No. 27 of 1993

Promulgated by the President in the Forty-fourth Year of the Republic of India.

An Ordinance further to amend the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988.

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.* — (1) This Ordinance may be called the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Amendment) Ordinance, 1993.

(2) It shall come into force at once.

2. *Amendment of section 10 of Act 46 of 1988.* — In the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 in section 10, in sub-section (1), for the figures, letters and words "31st day of July, 1993", the figures, letters and words "31st day of July, 1996" shall be substituted.

SHANKER DAYAL SHARMA,
President.

K. L. MOHANPURIA
Secy. to the Govt. of India.

Notification

10-2-92/LA (Part)

The Parliament (Prevention of Disqualification) Amendment Ordinance, 1993 (No. 29 of 1993) which has been promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 19-7-1993, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 10th August, 1993.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 19th July, 1993/Asadha 28,
1915 (Saka)

THE PARLIAMENT (PREVENTION OF DIS-
QUALIFICATION) AMENDMENT
ORDINANCE, 1993

No. 29 OF 1993

An Ordinance further to amend the Parliament (Pre-
vention of Disqualification) Act, 1959.

Promulgated by the President in the Forty-Fourth
Year of the Republic of India

Whereas Parliament is not in session and the Pre-
sident is satisfied that circumstances exist which
render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers confer-
red by clause (1) of article 123 of the Constitution,
the President is pleased to promulgate the following
Ordinance:—

1. *Short title and commencement.* — (1) This Or-
dinance may be called the Parliament (Prevention
of Disqualification) Amendment Ordinance, 1993.

(2) It shall come into force at once.

2. *Amendment of section 3.* — In sec-
tion 3 of the Parliament (Prevention of

Disqualification) Act, 1959 (hereinafter
referred to as the principal Act).—

(a) after clause (aa), the following clause shall
be inserted, namely:—

“(ab) the office of Deputy Chairman, Plan-
ning Commission;”;

(b) for clause (i), the following clause shall be
substituted, namely:—

“(i) the office of chairman, director or mem-
ber of any statutory or non-statutory body
other than any such body as is referred to
in clause (h) if the holder of such office is
not entitled to any remuneration other than
compensatory allowance, but excluding (i)
the office of chairman of any statutory or
non-statutory body specified in Part I of
the Schedule and (ii) the office of chair-
man or secretary of any statutory or non-
statutory body specified in Part II of the
Schedule;”.

3. *Amendment of Schedule.* — In the Schedule to
the principal Act, Part III shall be omitted.

SHANKER DAYAL SHARMA,
President.

K. L. MOHANPURIA
Secy. to the Govt. of India